

REMARKS

Claims 1, 4, 5, 9-17, 20, 21, and 25-26 are pending in the application for the Examiner's review and consideration. Claims 2, 3, 6-8, 18, 19, and 22-24 were cancelled. Claim 1 was amended to substantially include the disclosure of cancelled claims 2 and 3. Claim 5 was amended to substantially include the disclosure of cancelled claims 6-8. Claim 16 was amended to substantially include the disclosure of cancelled claims 18 and 19. Claim 21 was amended to substantially include the disclosure of cancelled claims 22-24.

ALLOWABLE SUBJECT MATTER

Applicants wish to thank the Examiner for allowing claims 11-15.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

Claims 1, 2, 3, 5, 6, and 10 were rejected under 35 U.S.C. §102(b) as being allegedly anticipated by Kokai Patent Application No. HEI 3-284616 to Matsuda *et al.* ("Matsuda"). Applicants respectfully traverse and obviate the rejection.

On page 2-3 of the Office Action, it alleges that the present invention is anticipated by Matsuda. As the Examiner is no doubt aware, to anticipate a claim, each and every element of the claim must be disclosed in a single prior art reference. Matsuda does not disclose each and every limitation of the present invention. Specifically, Matsuda does not disclose a composition having low-degree of substitution cyclodextrin derivative and a perfume material wherein said low-degree of substitution cyclodextrin derivative is selected from the group consisting of hydroxyalkyl cyclodextrin having an average degree of substitution of less than 5.0, alkylated cyclodextrin having an average degree of substitution of less than about 6.0, and mixtures thereof.

As discussed in the Office Action, the degree of substitution disclosed in Matsuda for hydroxypropylated beta cyclodextrin is allegedly 5.1. *See, e.g.,* Matsuda, page 5, lines 26-27. Claim 1, as amended, discloses hydroxyalkyl cyclodextrin having an average degree of substitution of less than 5.0. The compositions of Matsuda fall outside of the claimed limitations of the present invention. Thus, Matsuda does not disclose each and every limitation of the claim. Because each and every element of the claim has not been disclosed in a single prior art reference, Applicants respectfully request that the rejection made under 35 U.S.C. §102(b) be reconsidered and withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

Claim 16-19, 21, 22, and 26 was rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Matsuda in view of WO 96/04937 to Trinh *et al.* ("Trinh"). Applicants respectfully traverse the rejection.

On pages 3-4 of the Office Action, it alleges that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Matsuda and Trinh and use a composition comprising low-degree of substitution cyclodextrin derivatives in a method of capturing unwanted molecules by applying a composition comprising the said cyclodextrin derivatives to the surface and allowing the composition to dry. Applicants respectfully submit that Matsuda in view of Trinh does not disclose or suggest each and every limitation of the present invention.

As discussed in the Office Action, the degree of substitution disclosed in Matsuda for hydroxypropylated beta cyclodextrin is allegedly 5.1. *See, e.g.*, Matsuda, page 5, lines 26-27. Claim 16, as amended, discloses a low-degree of substitution cyclodextrin derivative selected from the group consisting of hydroxyalkyl cyclodextrin having an average degree of substitution of less than 5.0, alkylated cyclodextrin having an average degree of substitution of less than about 6.0, and mixtures thereof. Claim 21, as amended, discloses a composition comprising a beta-cyclodextrin derivative selected from a having an average degree of substitution of less than about 4.0, a hydroxypropyl beta-cyclodextrin having an average degree of substitution of about 3.3, low-degree of substitution alkylated-beta-cyclodextrin, and mixtures thereof. The ranges of the degree of substitution of the hydroxyalkyl beta-cyclodextrin of the present invention are all outside of the degree of substitution allegedly disclosed in Matsuda. Trinh does not cure the defects of Matsuda. Thus, Matsuda in view of Trinh does not teach each and every limitation of the present invention. Because the combination of references did not disclose or suggest each and every limitation of the present invention, Applicants respectfully submit that the rejection under 35 U.S.C. §103(a) be reconsidered and withdrawn.

With regard to all claims not specifically mentioned, these are believed to be allowable not only in view of their dependency on their respective base claims and any intervening claims, but also for the totality of features recited therein.

All claims are believed to be in condition for allowance. Should the Examiner disagree, Applicants respectfully invite the Examiner to contact the undersigned attorney for Applicants to arrange for a telephonic interview in an effort to expedite the prosecution of this matter.

CONCLUSION

In view of the foregoing amendments and accompanying remarks, reconsideration of the application and allowance of all claims are respectfully requested. Please charge any required fees to Procter & Gamble Deposit Account No. 16-2480.

Respectfully submitted,

By 

Mark A. Charles
Attorney for Applicant
Registration No. 51,547
Tel. No. (513) 627-4229

Dated: March 22, 2004
Customer Number: 27752